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March 15, 2021

VIA ECF AND FEDEX

Hon. Sandra J. Feuerstein  
United States District Court  
Eastern District of New York  
1014 Federal Plaza  
Central Islip, New York 11722

Re: *Chrysafis, et al. v. James*, No. 21-cv-00998

Dear Judge Feuerstein:

I write as Plaintiffs' counsel in this matter regarding the very recently-filed motion of groups seeking permission to file an *amicus curiae* brief in opposition to Plaintiffs' motion for a temporary restraining order and preliminary injunction (Dkt. 18), which is scheduled to be heard tomorrow.

We respectfully submit that the motion should be denied on the grounds that it is untimely. Proposed *amici*'s motion—and annexed 23-page brief (Dkt. 18-1)—were filed just before 5:00 p.m. last Wednesday, March 10, nearly two weeks after Plaintiffs' filed their motion for preliminary relief, more than four days after the Defendant AG's opposition was due, and just two days before Plaintiffs' reply was due. It would be unfair and prejudicial to Plaintiffs to have to respond to a voluminous *amici* submission filed at this late date. Moreover, those groups and their counsel are already so aligned with the AG that their views are surely being advanced by that office.<sup>1</sup> However, if the Court were to consider the proposed *amici*'s brief, Plaintiffs request the opportunity to file a short supplemental submission responding to it after tomorrow's hearing.

Respectfully,

/s/ Randy M. Mastro

Randy M. Mastro

cc: All Counsel of Record (via ECF)

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<sup>1</sup> Of note, both Legal Services NYC and The Legal Aid Society—counsel for the proposed amici—are on the government-prepared lists of legal organizations that landlords are compelled under CEEFPA to send to tenants, which, as we have explained in our pending motion, violates Plaintiffs' First Amendment rights. See Exs. A and B (lists of housing legal service providers in New York City and Nassau County, linked to at <https://www.nycourts.gov/eeffa-legal-service-housing.shtml>).